IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 11120 OF 2001

Dated : 11th August, 2005

Between:

Trilochan Sharma and another

Petitioners

AND

The Municipal Corporation of Hyderabad,

Represented by its Commissioner, Tank Bund,

Hyderabad and three others.

Respondents

THE HONOURBALE SRI JUSTICE ELIPE DHARMA RAO

W.P. No. 11120 OF 2001

ORAL ORDER:

The petitioners, who are brothers, are the absolute owners of the house bearing Old No.3-5-896 (3-5-986/2 – New) and 3-5-896/9/A (New – 3-5-896/3), Himayath Nagar, Hyderabad, respectively having purchased from its owner Ishrath Banu, in the year 2000s and their names are also recorded in the Municipal records. Since the houses are old, the petitioners approached the third respondent to grant necessary sanction for construction of building and submitted necessary plans. It is further stated that when they approached the 4th respondent Mandal Revenue Officer for obtaining Town Survey Certificate, on the direction of the 3rd respondent for sanction of construction permit, the 4th respondent informed that the land for which TSLR is applied is a Government Land. The petitioners submit that they have been in possession of the land for the last 55 years, through their predecessors in title. Therefore, questioning the action of the respondents 1 and 2 in asking the petitioners to obtain a TSLR certificate for granting construction permission and consequently seeking direction to grant forthwith building permit in respect of the said house Nos., the petitioners filed this writ petition.

Though Rule nisi was issued, as long back as on 11.6.2001, no counter is filed. This court while issuing Rule nisi, also granted interim direction sought for by the petitioners to grant building permit, without insisting upon the production of the Town Survey Certificate from the respondents 3 and 4 as regards the property in question.

The writ petition is accordingly disposed of making the interim order is made as final order in this writ petition. The writ petition is accordingly closed. No order as to costs.

Elipe Dharma Rao, J.

August 11, 2005

MAS.